

To: Maier, Brent[Maier.Brent@epa.gov]
From: Haas, Greg
Sent: Thur 7/14/2016 10:07:14 PM
Subject: RE: Pismo Dunes and APCD Ruling

Apparently the 2nd Dist. Court of Appeals ruled that the APCD could not require a permit but then Superior Court ruled that everything else in the Dust Rule stands including fines for violating air quality.

<http://www.sanluisobispo.com/news/local/article66523457.html>

<http://www.sanluisobispo.com/news/local/environment/article71691342.html>

Trying to figure out whether this still meets the EPAs concurrence.

The recent news, which I'm trying to confirm, is that the Superior Court ruled that the APCD must pay \$382k in court costs.

By the way, CalCoastNews is not a trustworthy news source, despite the fact that they seem to pop up first for news stories in Google regarding this.

From: Maier, Brent [mailto:Maier.Brent@epa.gov]
Sent: Thursday, July 14, 2016 2:45 PM
To: Haas, Greg
Subject: RE: Pismo Dunes and APCD Ruling

Greg –

I am checking in with my Air Division and Enforcement Division colleagues to see who may be aware of the Pismo Dunes and APCD ruling. Will follow up with you once I know who may be familiar with this issue and could perhaps get on a call with me and you.

Found some information from a Google search that I have shared with my colleagues, that I am copying/pasting here. If you have any written information on the APCD ruling to pass along, please let me know.

Found a link from April that addresses the Pismo Dunes issue:

<http://calcoastnews.com/2016/04/friends-of-oceano-dunes-sues-the-coastal-commission/>

Found the following information on the San Luis Obispo County AQMD website:

<http://www.slocleanair.org/library/press-releases>

6-20-16: Better Breather Alert - Blowing Dust June 20

The San Luis Obispo (SLO) County Air Pollution Control District (APCD) and County Public Health Department are advising the public of deteriorating air quality in the Oceano Dunes/Nipomo Mesa area due to blowing dust and sand on Tuesday, June 20, 2016. Blowing sand and dust is forecasted to occur from noon to 7 pm, with the dust forecasted to peak from 1 pm to 6 pm. Very sensitive individuals such as infants, as well as children and adults with existing respiratory or heart conditions, may experience adverse health effects during blowing dust periods.

County officials recommend that the public reschedule outdoor activities to occur when there is no visible dust. If blowing dust and sand is visible in the air, County officials recommend all adults and children avoid strenuous outdoor activity, remain indoors as much as possible, and set any heating/air conditioning/ventilation systems to recirculation. The public is advised to consult their doctor if they are experiencing health problems in an area with blowing dust and sand. If staying indoors does not provide relief, temporarily leaving the area and going to a location where the sand is not blowing and dust is not visible, is advised.

County officials will continue to closely monitor air pollution levels throughout our region, as forecasts can change. Current air quality conditions and air quality forecasts for San Luis Obispo County are available to the public via the APCD website slocleanair.org/air/AirForecasting_map3.php. The forecasted AQI is also available to the public via email. Sign up to receive the daily air quality forecast via email by visiting slocleanair.org/air/airforecasting.php. A recorded message describing San Luis Obispo County air quality conditions is available by calling (805) 781-4390.

Brent Maier

Congressional Liaison

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From: Haas, Greg [<mailto:greg.haas@mail.house.gov>]

Sent: Thursday, July 14, 2016 2:21 PM

To: Maier, Brent <Maier.Brent@epa.gov>

Subject: Re: Arroyo Grande - Your Voicemail on Listening Session vs. Public Hearing

I also have another question related to the Pismo Dunes and APCD court ruling.

Sent from my iPhone

On Jul 14, 2016, at 2:14 PM, "Maier, Brent" <Maier.Brent@epa.gov> wrote:

Greg Haas

Office of Congresswoman Lois Capps

Greg -

Thanks for your voicemail. I am checking in with my Water Division colleagues, Mike Montgomery and David Albright regarding your question as to a Listening

Session vs. Public Hearing and who would be hosting and how would it work. I will pass along anything I find out. I am out of the office this afternoon, but have forwarded your voicemail to both of them and hope to hear something by the end of the day or by tomorrow morning. Thanks.

Brent Maier

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